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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Robert A. Lee,
et al.

Serial No.: 10/562,306.

Statement

Group: not yet assigned

Examiner: not yet assigned

Our Ref: B-5839PCT 623090-4

For: " METHOD OF FORMING A..."

Date: September 26, 2006

Commissioner for Patents P.O. Box 1450 Alexandria VA, 22313-1450

Sir:

In accordance with the Applicants' duty to disclose information which may be material to the examination of this application, the undersigned respectfully requests that the Examiner consider on the merits the documents listed on the enclosed Form PTO-1449 (modified) before issuing the first Office Action on the merits. We are enclosing herewith a copy of each document listed on the enclosed Form PTO-1449 (modified). Copies of the U.S. patent documents listed on the enclosed Form PTO-1449 (modified) are not enclosed in accordance with 37 C.F.R. § 1.98(a) (2) (ii).

The filing of this Information Disclosure Statement (IDS) shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The Applicants believe that this IDS is being submitted before the issuance of a first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance. Therefore, no official fees should be due; and this IDS should be considered on the merits. If this IDS is being submitted after the issuance of the first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance, please contact the undersigned to authorize a payment of \$180.00 (or any other required amount), which is the fee set forth in 37 C.F.R. § 1.97(c), if the Examiner believes that such a fee is due in order for this IDS to be considered on the merits.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

The person making this statement is the practitioner who signs below on the basis of information supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)) and on the basis of information in the practitioner's file.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450",

on <u>September 26, 2006</u> by <u>Guillermo Gonzalez</u>.

Robert Popa

Attorney for Applicant

Respectfully submitted,

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Enclosures: Form PTO-1449 (modified) (7 pages)

Copy of Foreign Patent and Non Patent documents listed

on Form PTO-1449 (modified)

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LIST OF PATENTS AND PUBLICATIONS	APPLICANT(S) Lee, et al.		
STATEMENT	FILING DATE December 22, 2005	GROUP not yet assigned	

U.S. PATENT DOCUMENTS

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	2005/123134	6/2005	Alasia	380	54	
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Derwent Abstract of 2002-210241/27 relates to JP 2002032023
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